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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,015	06/21/2000	Brian A. LaMacchia	MS 147272.1/40062.65US02	6475
22801	7590	01/13/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LANIER, BENJAMIN E	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/599,015

Applicant(s)

LAMACCHIA ET AL.

Examiner

Benjamin E Lanier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 17 September 2004 have been fully considered but they are not persuasive. Applicant's argument the Oaks reference does not disclose permission requests that can be used to filter the policy that is ultimately used to evaluate an actual demand for permission is not persuasive because Applicant's assessment of the Oaks reference is incorrect. In analyzing pages 99-102 of the Oaks reference it is clear that the "permissions" are actual portions or functions of the code being used as opposed to "a resource" as stated by Applicant in page 15 of the response filed 17 September 2004. What the use of these permissions does is to allow access or use of certain portions of the application, which would meet the limitation filtering a permission set based on a permission request set to control execution of a code assembly.
2. Applicant's argument that the Oaks reference does not disclose that the permission filtering is based on a request set is not persuasive because a set of requests can include any number of requests including a single request or even no requests (i.e. the empty set).
3. Applicant's argument that the Oaks reference does not generate a permission grant set from a subset of the permission set as specified by a permission request set is not persuasive because if you have a policy file that contains a permission set, and then you subsequently receive permission requests that are compared or filtered using that very policy file containing the permission set, then the collection of requests that were granted would generate a permission grant set from a subset of a permission set that is specified by a permission request set.

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4. Applicant's argument that the Oaks reference does not disclose that the code assembly and the request set is received through different network communications is not persuasive because as accurately discloses on page 20 of Applicant's response filed 17 September 2004 the Oaks reference (Page 93) discussing the retrieval of different objects of source code from different locations, wherein it is the code assembly that is retrieving these different objects of source code. So not only would code assembly already have been receiving through a network communication, but it would be currently running when retrieval of the permission set is made and the subsequent requests for permission are received.

5. Applicant's argument that the Oaks reference does not disclose computing a logical set operation on the permission set and the permission request set to generate a permission grant set is not persuasive because as discussed above when the permission requests is compared with the permission set to grant or deny access a logical operation is being performed. A simple Boolean expression would be used with the request set, granted or not granted.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Oaks. Referring to claims 1, 7, 14, 15, 18, 20, 21, 26, 29, 33-35, 37, Oaks discloses Java security manager and access controller that allow permissions to be defined for specific resources that may be requested by a program application (pages 90-93), which meets the limitations of receiving the

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permission set including at least one permission associated with the code assembly, and receiving a permission request set in association with the code assembly. Once receiving the request for specific resources, the permissions are checked against the defined permissions (page 100), which meets the limitation of filtering the permission set based on the permission request set to control execution of the code assembly.

Referring to claims 2, 3, 8, 9, 22, 23, 27, 35, Oaks discloses that a permissions comparison, equals operation, is used to construct the permissions that will be allowed the requester (page 101), which meets the limitations of generating a permission grant set from a subset of the permission set, the subset specified by the permission set, and computing a logical set operation on the permission set and the permission request set to generate a permission grant set.

Referring to claims 4, 5, 10, 11, 24, 25, Oaks discloses that if the requested permission is not available for the requester an exception is thrown (page 101) and prevented from executing (pages 64-65).

Referring to claims 6, 32, 35, Oaks discloses that the applications can be categorized as trusted and untrusted with each having separate permission sets (pages 67-68).

Referring to claims 12, 13, 16, 17, 28, 30, 31, 36, Oaks discloses that if the applications is of an untrusted class then it does not have permissions associated with the trusted class (pages 67-68), which meets the limitation of requesting an optional set of permissions requested in association with the code assembly and executing a first level of code assembly functionality if the optional request set is a subset of the permission grant set, and executing a second level of code assembly functionality if the optional request set is not a subset of the permission grant set.

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Referring to claim 19, Oaks discloses that the permissions and the application source code can be obtained separately (page 93).

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E Lanier whose telephone number is 571-272-3805. The examiner can normally be reached on M-Th 7:30am-5:00pm, F 7:30am-4pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benjamin E. Lanier



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